

ORDINANCE NO. 2002- 50

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING, ADDING AND REPEALING SECTIONS OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE AS ADOPTED BY ORDINANCE NO. 99-51, AS PREVIOUSLY AMENDED; THIS ORDINANCE AMENDS ARTICLE VI DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS, SPECIFICALLY REVISING SUBSECTION 6.04.08.D.2 PERTAINING TO REQUIREMENTS FOR MAINTENANCE BONDS, REVISING SUBSECTION 6.04.07.M. PERTAINING TO REQUIREMENTS FOR EXISTING FACILITIES, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA that:

Section 1. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by revising Subsection 6.04.08.D.2 thereof with the following:

2. The Maintenance Bond is to be furnished to secure the timely maintenance and repair of the roads and Improvements as a guarantee against faulty workmanship, Construction and materials, and damage to curb and gutter, asphalt pavement, drainage piping, structures and other Improvements during the maintenance period. Said bond shall be submitted by the Applicant to the County Administrator for approval and forwarding to the Clerk and shall remain in force until released as stipulated in Subsection E. below, but in no case for less than twenty-six (26) months. If the County elects to repair and take remedial action to correct deficiencies during the warranty period, the cost will be drawn from the bond.

Section 2. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by revising Subsection 6.04.07.M. thereof with the following:

M. Existing Facilities

1. Existing non-paved and stabilized base (e.g. soil cement, fast track, open graded emulsion mix, etc.) or other non-paved County-maintained Roadways used for Project access shall be required to be improved to meet the requirements of this Code from the Development's point of access on the non-paved Roadway to the terminus with the closest paved Roadway for approval of:
  - a. New Subdivision resulting in more than two (2) residential Lots, or

- b. New multi-family residential Development, Manufactured/Mobile Home Park, or non-residential Development, or
- c. More than two (2) residential Dwelling Units per Lot of Record.

Further, it shall be demonstrated that access to the Project described in subparagraphs a. through c. above can be obtained from an existing paved Collector or Arterial Roadway to the Development's point of access via paved Roadway(s).

- 2. Existing non-paved and stabilized base (e.g. soil cement, fast track, open graded emulsion mix, etc.) or other non-paved Private Roadways used for Project access shall be required to be improved to meet the requirements of this Code from the Development's point of access on the non-paved Roadway to the terminus with the closest paved Roadway for approval of:
  - a. New Subdivision resulting in more than two (2) residential Lots, or
  - b. New multi-family residential Development, Manufactured/Mobile Home Park, or non-residential Development, or
  - c. More than two (2) residential Dwelling Units per Lot of Record, or
  - d. More than a total of ten (10) residential Dwelling Units on existing Lots of Record accessing the Private Roadway. More than ten (10) residential Dwelling Units on existing Lots of Record may be allowed with approval of a maintenance agreement in a form acceptable to the County for the continual maintenance of the Private Roadway.

Further, it shall be demonstrated that access to the Project described in subparagraphs a. through d. above can be obtained from an existing paved Collector or Arterial Roadway to the Development's point of access via paved Roadway(s).

- 3. Any new Subdivision or non-residential Development described in Section 6.04.07.M.1. above, that will cause a change to the functional classification of an existing Roadway used for Project access (e.g. Local Road to Minor Collector) shall be required to improve the Roadway to the requirements of this Code for the new functional classification.
- 4. Any new Subdivision or non-residential Development described in Section 6.04.07.M.1. above, that will not cause a change to the functional classification of an existing Roadway used for Project access must demonstrate that all existing and proposed Right-of-Way infrastructure necessary to serve the existing and proposed Development are, or will be, located within the road Right-of-Way. Notwithstanding the above, in no

case shall the new Subdivision or non-residential Development be approved by the County if the existing paved portion of the Roadway used to access the Subdivision or non-residential Development is less than eighteen (18) feet in width for a Local Road or twenty-two (22) feet in width for a Collector Road.

Section 3. Severance Clause. It is the intent of the Board of County Commissioners of St. Johns County, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

Section 4. This Ordinance shall take effect upon being filed with the Department of State of Florida.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, State of Florida, this 17<sup>th</sup> day of September, 2002.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant  
James E. Bryant, Chairman

RENDITION DATE 09/19/02

ATTEST: Cheryl Strickland, Clerk

By: Juvenile King  
Deputy Clerk

Effective: September 23, 2002

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

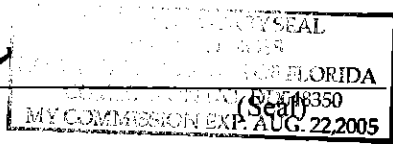
Before the undersigned authority personally appeared **Linda Y. Murray**  
who on oath says that she is Accounting Clerk of the St. Augustine Record,  
a daily newspaper published at St. Augustine in St. Johns County, Florida:  
that the attached copy of advertisement, being a Display Ad  
in the matter of Public Hearing File No. CPA-(SS) 2002-02 Pellicer Pointe  
in the ..... Court was published in said newspaper in the issues of  
August 22,2002

Affiant further says that the St. Augustine Record is a newspaper published  
at St. Augustine, in said St. Johns County, Florida, and that the said newspaper  
heretofore been continuously published in said St. Johns County, Florida, each  
day and has been entered as second class mail matter at the post office in the  
City of St. Augustine, in said St. Johns County, for a period of one year preceding  
the first publication of the copy of advertisement; and affiant further says that  
she has neither paid nor promised any person, firm or corporation any discount,  
rebate, commission or refund for the purpose of securing the advertisement for  
publication in the said newspaper.

Sworn to and subscribed before me this 22nd day of August, 2002

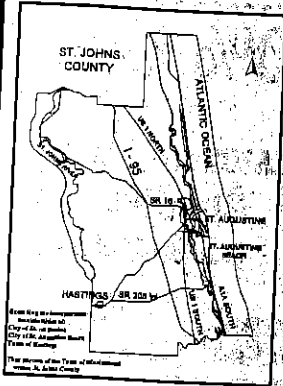
by *Linda Y. Murray* who is personally known to me  
or who has produced PERSONALLY KNOWN as identification.

*Zoe Ann Moss*  
(Signature of Notary Public)



Zoe Ann Moss

# NOTICE OF PUBLIC HEARINGS OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS ON ESTABLISHMENT OF ORDINANCE/REGULATIONS AFFECTING THE USE OF LAND



NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, at regular meetings on Tuesday, September 3, 2002 at 1:30 p.m. and Tuesday, September 17, 2002 at 5:30 p.m. in the County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16-A and U.S. 1 North), St. Augustine, Florida, will hold public hearings to consider adoption of the following proposed ordinance:

**AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING, ADDING AND REPEALING SEC-**

**TIONS OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE AS ADOPTED BY ORDINANCE NO. 99-51, AS PREVIOUSLY AMENDED; THIS ORDINANCE AMENDS ARTICLE VI DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS, SPECIFICALLY REVISING SUBSECTION 6.04.08.D.2 PERTAINING TO REQUIREMENTS FOR MAINTENANCE BONDS, REVISING SUBSECTION 6.04.07.M. PERTAINING TO REQUIREMENTS FOR EXISTING FACILITIES, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE**

The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (CR 16A and U.S. #1), St. Augustine, Florida and may be examined by parties interested prior to the said public hearings. Please take note that the proposed ordinance is subject to revision prior to the hearing or adoption. All parties having any interest in said ordinance will be afforded an opportunity to be heard at the public hearings.

If a person decides to appeal any decision made with respect to any matter considered at the hearings, such person will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS:** In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in the proceedings should contact ADA Coordinator, at (904) 823-2505 at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.

**BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA  
CHERYL STRICKLAND, ITS CLERK**

By: Patricia DeGrande, Deputy Clerk

THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **LINDA Y MURRAY**  
who on oath says that she is an Accounting Clerk of the St. Augustine Record,  
a daily newspaper published at St. Augustine in St. Johns County, Florida:  
that the attached copy of advertisement, being a

**PUBLIC NOTICE (DISPLAY ADVERTISEMENT)**

In the matter of **ORDINANCE # 99-51**

**ORDINANCE/REGULATIONS AFFECTING LAND USE**

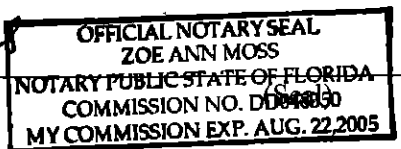
in the Court, was published in said newspaper in the issues of  
**SEPTEMBER 6, 2002**

Affiant further says that the St. Augustine Record is a newspaper published  
at St. Augustine, in said St. Johns County, Florida, and that the said newspaper  
heretofore been continuously published in said St. Johns County, Florida, each  
day and has been entered as second class mail matter at the post office in the  
City of St. Augustine, in said St. Johns County, for a period of one year preceding  
the first publication of the copy of advertisement; and affiant further says that  
she has neither paid nor promised any person, firm or corporation any discount,  
rebate, commission or refund for the purpose of securing the advertisement for  
publication in the said newspaper.

Sworn to and subscribed before me this **9<sup>TH</sup>** day of **SEPTEMBER** 2002

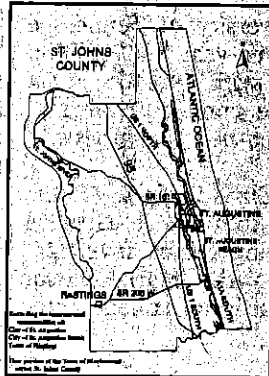
by *Linda Y Murray* who is personally known to me  
or who has produced **PERSONALLY KNOWN** as identification.

*Zoe Ann Moss*  
(Signature of Notary Public)



Zoe Ann Moss

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BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA  
CHERYL STRICKLAND, ITS CLERK

By: Patricia DeGrande, Deputy Clerk